

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
ANDERSON DIVISION

BURTON HAGWOOD, # 03671087,)	C/A No. 8:05-1172-CMC-BHH
)	
Plaintiff,)	
)	
v.)	ORDER
)	
UNITED STATES OF AMERICA,)	
)	
Defendant.)	
)	

This action was brought by a *pro se* federal prisoner seeking relief pursuant to 42 U.S.C. § 1983. On May 6, 2005, Plaintiff filed a motion to dismiss the action without prejudice due to a lack of resources to prosecute the case. In accordance with this court's order of reference and 28 U.S.C. § 636(b), this matter was referred to United States Magistrate Judge Bruce H. Hendricks for a Report and Recommendation.

This court is charged with making a *de novo* determination of any portion of the Report and Recommendation of the Magistrate Judge to which a specific objection is made. The court may accept, reject, or modify, in whole or in part, the recommendation made by the Magistrate Judge or recommit the matter to the Magistrate Judge with instructions. *See* 28 U.S.C. § 636(b).

Based on her review of the record, the Magistrate Judge has recommended that Plaintiff's motion be granted and this action be dismissed. Plaintiff was advised of his right to file objections to the Report and the consequences if no objections were filed. No objections have been filed and the time for doing so has expired.

After reviewing the Complaint, the motion, and the Report and Recommendation of the Magistrate Judge, the court agrees with the recommendation of the Magistrate Judge.

IT IS HEREBY ORDERED that Plaintiff's motion to *dismiss this action without prejudice* is **GRANTED**.

IT IS SO ORDERED.

s/ Cameron McGowan Currie
CAMERON MCGOWAN CURRIE
UNITED STATES DISTRICT JUDGE

Columbia, South Carolina
June 2, 2005

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